

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITY OF WESTLAND POLICE AND
FIRE RETIREMENT SYSTEM,

Plaintiff,

v.

Case No. 1:12-cv-00256-LAK

METLIFE, INC., et al.,

Defendants.
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**NOTICE OF MOTION BY THE UNDERWRITER DEFENDANTS
TO DISMISS THE SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, defendants Citigroup Global Markets Inc., Credit Suisse Securities (USA) LLC, Goldman, Sachs & Co., HSBC Securities (USA) Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated and Wells Fargo Securities, LLC (the “Underwriter Defendants”), will and hereby do move this Court, at the Courthouse for the United States District Court for the Southern District of New York, 500 Pearl Street, Courtroom 21B, New York, New York 10007, at such date and time as the Court may direct, for an order dismissing all of the claims asserted against them in the second amended class action complaint in this action and granting the Underwriter Defendants such other and further relief as the Court may deem just and proper.

In support of this motion, the Underwriter Defendants rely upon the accompanying memorandum of law, the Declaration of Timothy E. Hoeffner dated August 23, 2013, and its exhibits, the memorandum of law, materials submitted by MetLife, Inc. and the individual

defendants in support of their motion to dismiss the second amended complaint, and all further filings and proceedings had in this action.

Dated: New York, New York
August 23, 2013

DLA PIPER LLP (US)

By: /s/ Timothy E. Hoeffner
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and Wells Fargo Securities, LLC

CERTIFICATE OF SERVICE

I hereby certify that I am one of the attorneys for the underwriter defendants in this action and that on August 23, 2013, I caused a copy of the foregoing to be filed with the Court's ECF system, which will cause notice of its filing to be served electronically upon all counsel who have appeared in this action

/s/ Timothy E. Hoeffner

Timothy E. Hoeffner